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6/9/2025
Europe
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT
LJ

From: nirmalymanda_0

TO:

Date:09/06/2025

The Hon'able Judge Jorge L. Alonso

C/O Thomas G. Bruton, Clerk of Court

Dirksen Federal Building

United States District Court

Northern District of Illinois

219 S. Dearborn Street

Chicago, IL 60604

Honorable Sir

Subject: Case No. 1:24-cv-09484(Revised appeal in continuation of my Previous appeal dtd.17th Nov 2024)

I beg to submit that I am in receipt of the Summons for this Case No. 1:24-cv-09484 on 13th Nov 2024 through email from the Plaintiff 's Attorney. I am one of the defendants from SCHEDULE A (Store name nirmalymanda_0) .

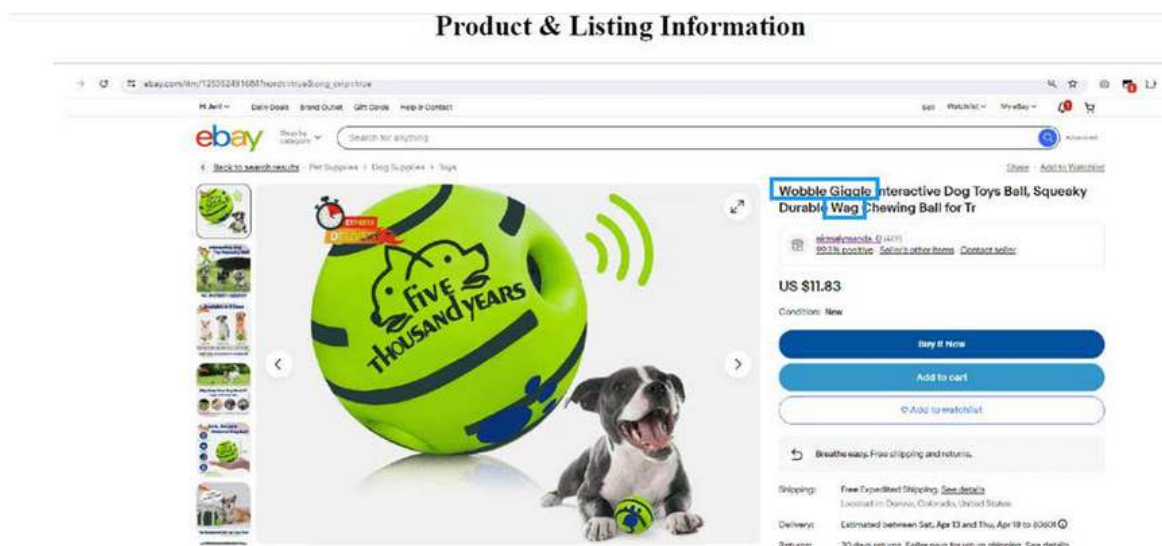
I am again appealing to the Court for absolve me from this case, as I really didn't do any Criminal offense knowingly or willfully to deceive anybody. With recent update I came to know that Plaintiff charged Defendants with violations of United States federal and state laws prohibiting trademark and copyright infringement and counterfeiting. But I mentioned earlier and saying it now as well. That this charge against my shop is complete baseless. I did further investigation as with initial details Plaintiff or Court didn't provided enough evidence on what Charge my shop was accused. So, when I got the details from the Plaintiff's Attorney, I was bit Surprised. That claim is complete baseless & don't have enough merit in it.

So, I am showing some of my arguments below why this is baseless and don't match to my case. As I said earlier, I live outside US. I can't afford to visit USA also I can't afford to involve any Attorney for this. I have health issue and that took most of my earning. So please accept my argument on my defense and dismissed me from this case.

1. So, this Claim on the Trademark if 320 nirmalymanda_0 WOBBLE WAG GIGGLE (U.S. Reg. No. 4,725,221) 1540. If you Observe the image that was provided by the Attorney to me as Exhibit. It is not identical to the Trademark that he/she is talking about. I used only generic keyword that are commonly used for Dog behavior. I never targeted Plaintiff's Trademark item. I used the keyword in one line not in 2 Line. So, Wobble Giggle is in beginning and after 6 words is Wag. They are not in one place 3 words structured as shown in trademark. Even my is Wobble Giggle in beginning &

Wag is end part. Picture of Exhibit shows Wag word is below to Giggle. But Trademark is having Wag in middle. So, this is not identical. That is enough to be absolve me from this case. If the Trademark not exactly same, then it can't be claim as offender. Generic Keyword I can use. Example like ADHD, Nervousness, shaking tail etc....


WOBBLE WAG GIGGLE



2. Now if I talk about merit of the Case. Initially Plaintiff asked for Settlement fee of \$10000 on Nov 2024 and in Feb 2025 it drop to \$2500. Which itself speaks the merit of this Case. Plaintiffs know there is not enough merit behind this case. Even they said if we don't reach to amicable settlement then they will give impasse to me. So, this seems to me just showing pressure and Squeeze money from Innocent people. I consider as misleading to court and harassment to small traders like us.
3. Now before dragging us in Court .1st thing that Plaintiff need to Follow is a Proper Decorum or Process. There is big Gap in the Entire Process .Which seems failed. If he is Owner of the Trademark. He/She can register with Ebay amazon Marketplace. Once this is registered then Automatically these Market Place will not allow anybody to list Trademark Items. So, if these Marketplace allowed small traders like us to list, then this is not either registered in ebay & amazon or ebay / amazon system Failed. So, in such case Ebay and Amazon need to be also Party of this case & held as Prime Offender not we. If not registered, then this is fault of the Trademark Owner (this maybe Plaintiff done purposefully so anybody use such keyword will be dragged to court and claim money as compensation which is unethical). Then we can't be held as responsible.

4. I checked the Plaintiff's Amazon Store where he/she is selling his/her trademark items. I would really request my Lord to have a Look on that store what is going on. Then it will describe what Plaintiff reputation in market is. There are several verified amazon Buyers raised Concern about the Quality of the Product Plaintiff is selling. Many buyers Claimed due to the Material they have issue with their Dog. So, the intention is very clear of Plaintiff. His/her Business effected not for other people but for his /her own activity. So, to recoup his loss for his own activity. He is directly dragging us to Court to get Financial grants from us. Without much hard work. So, the intention is not so healthy and using court as a place to force others to pay money for rescuing his loss. Though even those people may be not responsible for that. That is the reason he put the case for people those who are not available in USA. So, take advantage of Hostile situation. Below is the Screenshot of Plaintiff's Store and reviews from Amazon Marketplace.

Pet Supplies › Dogs › Toys › Balls



Wobble Wag Giggle Ball, Interactive Dog Toy, Fun Giggle Sounds When Rolled or Shaken, Pets Know Best, As Seen On TV
Visit the Wobble Wag Giggle Store
4.1 ★★★★★ 100,026 ratings
Amazon's Choice

Ciro
★★★★★ **Hard barks**
Reviewed in the United States on January 19, 2025
Style: Pack- Original & Glow | **Verified Purchase**
Kinda of big hard and not loud dogs weren't interested kinda of a waste of money not recommended

Helpful | Report

Michelle Cornwell/Cobb
★★★★★ **Squiggle Wiggle hard balls**
Reviewed in the United States on January 18, 2025
Style: 2 Pack- Original & Glow | **Verified Purchase**
Durable and my Rottweilers addiction and holds up. L.O.L. They beg to go outside every day to play with them.

Helpful | Report

Liz
★★★★★ **Not good for puppies**
Reviewed in the United States on January 18, 2025
Style: Original | **Verified Purchase**
No entertainment value older dog and puppy afraid of the loud noise and the material is too hard.

Helpful | Report

working mom
★★★★★ **Dogs scared of this toy**
Reviewed in the United States on January 18, 2025
Style: 2 Pack- Original & Glow | **Verified Purchase**
Neither of our 2 dogs will touch this toy. Honestly not sure if it's because the toy is such hard plastic that hurts when rolling at their feet or the super loud sound. Either way this was a complete waste of money. And both are medium to large dogs that love every toy they can get their paws on. So disappointed because it oddly has great reviews.

I beg to state that I consider myself as 'not guilty' in any way and innocent in this very matter, as I didn't have any intention of counterfeiting any Copyright Item. So, I beg relief from your court, Hon'ble Sir, by absolving me from the charges of this case.

For that reason, I am sending this letter in my defense. I am not guilty, and any punishment as such will be a total injustice to me. While I am not selling anything identical with the Plaintiff's Brand and Look then there cannot be any charge of counterfeiting. So, I beg relief from your good self by absolving me from the charges of this case as it have no Connection of selling Plaintiff's Item by counterfeiting.

Finally, I submit once again that kindly consider my health condition and absolve me from this case, as I really didn't do any Criminal offense knowingly or willfully to deceive anybody.

With best regards,

Yours Sincerely,

nirmalymanda_0

mandalnirmalya70@gmail.com

NOTE: Whatever response I provided in past, I was not having the details about my offense. Just to defend myself I responded as quick as possible as Law abide citizen. After getting more details I am again responding this matter on my defense